

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------|---|--------------------------------------|
| MICHAEL SEMIAN, | : | |
| Plaintiff | : | |
| | : | No. 3:17-CV-1183 |
| v. | : | |
| | : | Judge Mariani |
| DEPARTMENT OF MILITARY | : | |
| AND VETERANS' AFFAIRS – | : | Electronically Filed Document |
| GINO J. MERLI VETERANS | : | |
| CENTER, | : | <i>Complaint Filed 07/05/17</i> |
| Defendants | : | |

**DEFENDANT'S MOTION FOR ENLARGEMENT
OF TIME TO FILE A BRIEF IN SUPPORT**

Pursuant to Federal Rule of Civil Procedure 6(b), Defendant hereby moves the Court for an enlargement of time in which to file a brief in support of its motion to dismiss, and in support thereof states as follows:

1. Defendant filed a Motion to Dismiss the Amended Complaint on October 19, 2018.
2. Due to current litigation responsibilities, inclement weather and a medical issue, counsel for Defendant has been unwilling to finish the brief in support of this motion.
3. Therefore, undersigned counsel respectfully requests and enlargement of time until November 21, 2018, in which to file a brief in support of its motion to dismiss.

4. Counsel for the Plaintiff has been contacted for his concurrence, but has not yet responded. A certificate of concurrence or nonconcurrence will be filed once counsel for Plaintiff responds.

5. Granting this enlargement of time will not unreasonably delay this matter nor prejudice the rights of the Plaintiffs.

WHEREFORE, the Court should grant Defendant an enlargement of time until November 21, 2018, to file a brief in support of its motion to dismiss.

Respectfully submitted,

JOSH SHAPIRO
Attorney General

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Date: November 16, 2018

By: s/ Jessica S. Davis

JESSICA S. DAVIS
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Attorney ID 94560

KELI M. NEARY
Chief Deputy Attorney General
Civil Litigation Section

Counsel for Defendant Department of
Military Veterans Affairs

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CERTIFICATE OF SERVICE

I, Jessica S. Davis, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on November 16, 2018, I caused to be served a true and correct copy of the foregoing document titled Defendant's Motion for Extension of Time to File a Brief in Support to the following:

VIA ELECTRONIC FILING

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Counsel for Plaintiff

s/ Jessica S. Davis
JESSICA S. DAVIS
Senior Deputy Attorney General